

FACSIMILE TRANSMISSION COVER SHEET

RECEIVED
CENTRAL FAX CENTER

Date: August 4, 2004

AUG - 4 2004

OFFICIAL

TO:	
COMPANY/FIRM:	U.S. PATENT AND TRADEMARK OFFICE
PHONE NO.:	
FACSIMILE NO.:	703-872-9306

FROM:	Jim Retter
COMPANY/FIRM:	Ware, Fressola, Van Der Sluys & Adolphson LLP
PHONE NO.:	(203)261-1234
FACSIMILE NO.:	(203)261-5676

CONFIRMATION BY MAIL:

Number of pages (including this transmittal page): 3

If facsimile transmission is incomplete, please notify sender at (203)261-1234.

**WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON
BRADFORD GREEN, BUILDING FIVE
755 MAIN STREET, MONROE, CONNECTICUT 06468
TELEPHONE NO. (203) 261-1234
FACSIMILE NO. (203) 261-5676**

COMMENTS

S/N 09/774,538 filed Jan. 31, 2001 Our Ref: 2-591.5

Dir Sir/Madam:

Enclosed please find a Status Inquiry for the above-referenced matter.

Best regards,

Sue Muro

(for Jim Retter)

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO BE ATTORNEY-CLIENT PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE AGENT OR EMPLOYEE RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE RECEIVED MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

Practitioner's Docket No. 2-591.5**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Ian Abrahams et al.
 Application No.: 09/774,538 Group No.: 2176
 Filed: Jan. 31, 2001 Examiner: To be assigned
 For: System for Managing Risk

Commissioner for Patents
 Box 1450
 Alexandria, VA 22313-1450

STATUS INQUIRY

WARNING: Submission of a status letter after a Notice of Allowance may subject an application to a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

1. More than 2 years from the date have passed since

 NEW APPLICATIONS

the filing of this application on January 31, 2001.

No communication has been received from the Patent and Trademark Office indicating action on this application.

 AMENDED APPLICATIONS

the filing of a response on _____.

No further communication has been received from the Patent and Trademark Office.

 APPEALED APPLICATION

The Appeal Brief was filed on _____.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
 Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)


Signature

Date: August 4, 2004

Sue Muro

(Type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(l). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(check and complete applicable items below)

- An Examiner's Answer was mailed on _____.
- A Reply to the Examiner's Answer was submitted on _____.
- ALLOWED APPLICATIONS
the mailing of FORM POL-327 and/or Examiner's Amendment on _____

2. Kindly advise the undersigned of the present status of this application, by checking the appropriate box below. A stamped return-addressed envelope is provided.

NOTE: M.P.E.P. § 203.08 Status Inquiries, 8th Edition, cautions as to the submission of status inquiries as follows:

***NEW APPLICATION**

"Current examining procedures now provide for the routine mailing from the Technology Centers (TCs) of Form PTOL-37 in every case of allowance of an application. Thus, the mailing of a form PTOL-37 in addition to a formal Notice of Allowance (PTOL-85) in all allowed applications would seem to obviate the need for status inquiries even as a precautionary measure where the applicant may believe his or her new application may have been passed to issue on the first examination. However, as an exception, a status inquiry would be appropriate where a Notice of Allowance is not received within three months from receipt of form PTOL-37."

"Current examining procedures also aim to minimize the spread in dates among the various examiner dockets of each art unit and TC with respect to actions on new applications. Accordingly, the dates of the "oldest new applications" appearing in the Official Gazette are fairly reliable guides as to the expected time frames of when the examiners reach the applications or action.

"Therefore, it should be rarely necessary to query the status of a new application.

***AMENDED APPLICATIONS**

"Amended applications are expected to be taken up by the examiner and an action completed within two months of the date the examiner receives the application. Accordingly, a status inquiry is not in order after reply by the attorney until 5 or 6 months have elapsed with no response from the Office. A postcard receipt for replies to Office actions, adequately and specifically identifying the papers filed, will be considered prima facie proof of receipt of such papers. Where such proof indicates the timely filing of a reply, the submission of a copy of the postcard with a copy of the reply will ordinarily obviate the need for a petition to revive. Proof of receipt of a timely reply to a final action will obviate the need for a petition to revive only if the reply was in compliance with 37 CFR 1.113."



SIGNATURE OF PRACTITIONER

Reg. No.: 41,266

• James A. Retter

(type or print name of practitioner)

Tel. No.: (203) 261-1234

Ware, Fressola, Van Der Sluys & Adolphson LLP

P.O. Address

755 Main Street, Box 224
Monroe, CT 06468

Customer No.: 004955

(Status Inquiry [9-3]—page 2 of 3)